



**WEST VIRGINIA SECRETARY OF STATE**

**MAC WARNER**

**ADMINISTRATIVE LAW DIVISION**

**eFILED**

5/12/2022 11:33:18 AM

Office of West Virginia  
Secretary Of State

**NOTICE OF PUBLIC COMMENT PERIOD**

AGENCY: Secondary School Activities Commission

TITLE-SERIES: 127-05

RULE TYPE: Legislative Exempt      Amendment to Existing Rule: Yes      Repeal of existing rule: No

RULE NAME: Band and Other Activities

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. v. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/13/2022 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Bernie Dolan, Executive Director

ADDRESS: West Virginia Secondary School Activities Commission  
2875 Staunton Turnpike, Parkersburg, West Virginia 26104

EMAIL: bernie.dolan@wvssac.org

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Series 5 governs band and other West Virginia Secondary School Activities Commission sanctioned activities.

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN THE RULE AND A STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE:

New sections have have been added to the rule to govern robotics.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE PROPOSED RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

There will be no economic impact on revenues of state government as a result of the proposed amendment of 127CSR5, Series 5.

B. ECONOMIC IMPACT ON SPECIAL REVENUE ACCOUNTS:

There will be no economic impact on special revenue accounts as a result of the proposed amendment of 127CSR5, Series 5.

C. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS:

There will be no economic impact on the state or its residents as a result of the proposed amendment of 127CSR5, Series 5.

D. FISCAL NOTE DETAIL:

Effect of Proposal	Fiscal Year		
	2022 Increase/Decrease (use "-")	2023 Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
<b>1. Estimated Total Cost</b>	0	0	0
<b>Personal Services</b>	0	0	0
<b>Current Expenses</b>	0	0	0
<b>Repairs and Alterations</b>	0	0	0
<b>Assets</b>	0	0	0
<b>Other</b>	0	0	0
<b>2. Estimated Total Revenues</b>	0	0	0

E. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

There will be no economic impact on revenues of state government, special revenue accounts, or the state or its residents as a result of the proposed amendment of 127CSR5, Series 5.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Michele L Blatt -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

**EXECUTIVE SUMMARY**  
**WEST VIRGINIA BOARD OF EDUCATION**

**Series 1, Constitution**  
**Series 2, Athletics, Provisions Governing Eligibility**  
**Series 3, Provisions Governing Contests**  
**Series 5, Band and Other Activities**  
West Virginia Secondary School Activities Commission (WVSSAC)  
Proposed Changes in Rules and Regulations

**BACKGROUND**

The majority of public and most private schools in West Virginia belong to the WVSSAC. Each year, the principals of member schools submit revisions to the rules and regulations. The submitted proposals are presented and voted upon at the annual Board of Control meeting. Any approved changes are then submitted to the West Virginia Board of Education (WVBE) for its review and approval.

**PURPOSE**

These amendments are brought forth to keep the WVSSAC current and updated on changes, trends and issues in the band and athletic programs.

These proposals will be submitted to the WVBE for consideration for placement on public comment at the May meeting. The WVSSAC will present comments received during the comment period to the WVBE at the July meeting and recommendation adoption of the rules.

The WVSSAC staff, Constitution and Bylaws Committee, and Board of Control respectfully request that the proposed rule changes to the West Virginia Secondary School Activities Commission Rules and Regulations Handbook be placed on public comment.

**CONTENT**

Thirty four proposals were submitted by member schools for consideration; twenty nine proposals were approved. Following is a brief description of the proposal and outcome of the vote.

1. Funds 127-1-9 (Vote: Yes-138 No-0 Proposal PASSED)
2. Enrollment and Team Membership 127-2-3.2.c (Vote: Yes-127 No-6 Proposal PASSED)
3. Age 127-2-4 (Vote: Yes-132 No-10 Proposal PASSED)
4. Semester and Season 127-2-5.2 (Vote: Yes-137 No-5 Proposal PASSED)
5. Residence Transfer 127-2-7.1.j (Vote: Yes-136 No-6 Proposal PASSED)
6. Residence Transfer 127-2-7.2.d (Vote: Yes-142 No-0 Proposal PASSED)
7. Residence Transfer 127-2-7.2.f (Vote: Yes-13 No-129 Proposal FAILED)
8. Non-school Participation 127-2-10.1 (Vote: Yes-142 No-0 PASSED)
9. Non-school Participation 127-2-10.2 (Vote: Yes-142 No-0 Proposal PASSED)
10. Non-school Participation 127-2-10.3 (Vote: Yes-142 No-0 Proposal PASSED)
11. Practice 127-2-13.8 (Vote: Yes-142 No-0 Proposal PASSED)
12. All-star Participation 127-3-4.1 (Vote: Yes-142 No-0 Proposal PASSED)
13. Out-of-season Coaching 127-3-7.2 (Vote: Yes-75 No-67 Proposal PASSED)
14. Classification 127-3-10.6 (Vote: Yes-5 No-137 Proposal FAILED)
15. Classification 127-3-10.1 (Vote: Yes-7 No-135 Proposal FAILED)
16. Classification 127-3-10.12 (Vote: Yes-129 No-13 Proposal PASSED)

17. Sunday Contests 127-3-14.1 (Vote: Yes-6 No-136 Proposal FAILED)
18. Sanctioning and Travel 127-3-16.4.a (Vote: Yes-142 No-0 Proposal PASSED)
19. Sanctioning and Travel 127-3-16.5 (Vote: Yes-142 No-0 Proposal PASSED)
20. Season Regulations 127-3-19 through 31(Vote: Yes-142 No-0 Proposal PASSED)
21. Basketball (Boys and Girls) 127-3-20.4.b (Vote: Yes-111 No-31 Proposal PASSED)
22. Basketball (Boys and Girls) 127-3-20.4.a (Vote: Yes-114 No-28 Proposal PASSED)
23. Football 127-3-23.8 (Vote: Yes-7 No-135 Proposal FAILED)
24. Football 127-3-23.9.b (Vote: Yes-142 No-0 Proposal PASSED)
25. Football 127-3-23.9.g (Vote: Yes-136 No-6 Proposal PASSED)
26. Volleyball 127-3-30.10.b (Vote: Yes-142 No-0 Proposal PASSED)
27. Enrollment and Team Membership 127-2-3.11 (Vote: Yes-137 No-5 Proposal PASSED)
28. Coaches 127-3-6.4 (Vote: Yes-142 No-0 Proposal PASSED)
29. Practice 127-2-13 (Vote: Yes-142 No-0 Proposal PASSED)
30. Concussions 127-2-14 (Vote: Yes-142 No-0 Proposal PASSED)
31. Classifications 127-3-10 (Vote: Yes-141 No-1 Proposal PASSED)
32. Sports Rules-Game Protests 127-3-15 (Vote: Yes-142 No-0 Proposal PASSED)
33. Soccer 127-3-25 (Vote: Yes-140 No-2 Proposal PASSED)
34. Robotics 127-5-8 (Vote: Yes-141 No-1 Proposal PASSED)

## IMPACT

### Instruction

None

### Leadership

None

### Financial

None

### Administrative

None

**ATHLETIC ADMINISTRATORS, PRINCIPALS, AND COUNTY SUPERINTENDENTS WILL NEED TO BE AWARE OF THE CHANGES IN ORDER TO ADMINISTER THEIR SCHOOL PROGRAMS IN ACCORDANCE WITH THE CURRENT RULES. THERE IS NO MAJOR CHANGE THAT WOULD IMPACT ADMINISTRATION NEGATIVELY.**

**WVSSAC  
Rules and Regulations Handbook  
2021-22 Proposed Rule Changes**

**Proposal 1**

*Vote: 133-0 Passed*

**Amend §127-1-9. Funds. (pg. 7-8) as follows:**

~~9.1. The annual dues for members of this Commission shall be based upon the student enrollment of the school they represent.~~

~~9.1.a. A \$30.00 flat membership fee for all three- and four-year schools on the first 100 students, or fraction thereof, enrolled in a school.~~

~~9.1.b. After the first 100 students enrolled, the membership will be \$10.00 per 100 additional students, or fraction thereof, up to 1,000 students.~~

~~9.1.c. For each 100 students above 1,000 an additional \$5.00 per 100 students, or fraction thereof, is to be added.~~

~~9.1.d. A combined middle/high school shall pay a flat fee of \$30.00 for grades 7 and 8, and \$10.00 per 100, or fraction thereof, for grades 9, 10, 11, and 12 up to 1,000 students and \$5.00 per 100, or fraction thereof, above 1,000 students.~~

~~9.1.e. A \$30.00 fee is the ceiling for all middle schools/schools without grades 9-12.~~

~~9.1.f. Dues for the year are payable on or before February 1 of each year. Membership in the Commission shall extend from July 1 to June 30 in any year and shall be lapsed if dues are not paid on or before February 15. The enrollment figure to be used to determine the amount of dues shall be the gross enrollment of all students at the close of the second month of the current school year. In case a membership has lapsed, the member school may not be reinstated until the dues for the year of such lapsed membership, plus a penalty of \$25.00 reinstatement fee, have been paid to the Commission.~~

9.2. The Board of Directors may ~~reduce~~ initiate the amount of annual dues of the members for any year.

9.3. The Board of Directors is authorized to levy entry fees and assessments for the conducting of any interscholastic athletic or band activity when the activity is not self-supporting. Fees and assessments from one activity division shall not be used for the support of another.

9.4. The Commission shall determine the expenditures of money, but superseding power is given to the Board of Directors to use funds as are necessary to carry on its work.

9.5. The fiscal year of this Commission extends from July 1 to June 30. All monies ~~paid as dues to the Commission, as well as all monies~~ derived from any contest or other event sponsored by the Commission ~~become quasi-public funds and as such~~ shall be subject to an annual audit by the West Virginia Tax Commissioner. A written summary of the audit shall be a part of the annual report of the Executive Director to the Board of Control.

9.6. In case of dissolution of the WVSSAC, all funds of the Commission shall be prorated equally and distributed to the County Boards of Education or governing bodies of the members of the Commission. Provided, however, that governing boards of those schools that become members of the Commission subsequent to January 1, 1968, shall be entitled to a prorated share of only that portion of the Commission's fund which has been collected, earned, and accumulated between the inception of such membership and the actual dissolution of the Commission.

Alicia Riggleman  
Musselman High School

**Rationale:**

Over the past several years, the yearly fees due by WVSSAC constitution have been waived. The Commission believes now is a time to eliminate the dues, but will maintain the authority to reinstate the fees if the need should arise.

**Proposal 2**

*Vote: 127-0 Passed*

**Amend §127-2-3.2.c Enrollment and Team Membership. (Pg. 16-17) as follows:**

3.2.c. Member schools containing grades 6 and/or 7 and/or 8 may combine students from two or more schools within the county or regional area to form one interscholastic team in a sport. Requests for permission to combine students from two or more schools in the same private/parochial or public school system must be submitted annually to the WVSSAC in writing by the superintendent of the private/parochial or public school system. Schools which are combining to form one team must be feeder schools for the same high school, and at least one school must have sufficient numbers for a team. If more than two schools are involved, principals are to evaluate the number of available participants in each school and shall combine schools to provide as many teams as sufficient

numbers allow. Sufficient numbers will be defined as the number of a starting line-up plus 50% (for odd number line-ups, round up).

Kimberly Collins-Blair  
Harts PK-8

### **Rationale**

In 2006, Lincoln County High was built. Two years later, Chapmanville Regional High School was built and given the title "regional" to include students from the Harts area. There was a verbal agreement made then that when Harts students did not have enough student athletes to participate in a sport they would be afforded the opportunity to participate at Chapmanville Middle School (in Logan County) or Guyan Valley Middle School (in Lincoln County). However, this situation was never a problem until the current school year and Harts PK-8 students were not granted the right to participate at CMS. Harts PK-8 is a unique situation. We are on the only area that has a regional high school built for their students across county lines. Harts PK-8 is a feeder school for both LCHS and CRHS. This would not impact other schools and cause an issues because of the rule stating "feeder school". Harts is a high poverty area and transportation is also an issue, geography is the explanation for the choice of Chapmanville for most parents as it is only 10 miles from Harts PK-8.

### **Proposal 3**

Vote: 122-10

#### **Amend §127-2-4 Age. (Pg. 18) as follows:**

- 4.1. A student in high school who becomes 19 before ~~August 1~~ July 1 and a student in middle school who becomes 16 before ~~August 1~~ July 1 shall be ineligible for interscholastic competition.
- 4.2. A student in grade 8 or below who becomes 15 before ~~August 1~~ July 1 shall be ineligible for interscholastic competition at that level.
- 4.3. A student in grade 8 or below who becomes 15 on or after ~~August 1~~ July 1 shall remain eligible for the entire academic year at that level.

Mike Kelley  
Herbert Hoover High School

### **Rationale**

A change is necessary to SSAC policy 127-2-4. Age. Senate Bill 186 was into law by Governor Justice. This bill changed the age and month cutoff for students enrolling in Pre-k and Kindergarten. The previous law stated that all students seeking enrollment in Kindergarten must turn 5 years old before September 1<sup>st</sup> of the year in which they intend to enroll. SB 186 changed this cutoff date from September 1<sup>st</sup> to July 1<sup>st</sup> in order to give children more time to mature before entering formal public schooling. Current SSAC policy states that students must not turn 19 before August 1<sup>st</sup> of their senior year in order to be eligible. This policy allowed any student to be retained once during their K-12 career and still retain eligibility. By sticking with the August 1<sup>st</sup> cutoff date, student-athletes born during the month of July who are retained in any one year during grades K-12 would turn 19 before August 1<sup>st</sup> of their senior year. These July birthday student athletes should not be singled out and should be eligible to participate at the secondary level despite suffering through a retention. This proposed change will bring 127-2-4 of SSAC policy in line with SB 186.

### **Proposal 4**

Vote 137-8

#### **Amend §127-2-5.2 Semester and Season. (Pg. 18) as follows:**

- 5.2. ~~While in grades 6, 7, and 8, a student shall not participate in more than three seasons in any single interscholastic activity. A student may have the privilege to participate in the interscholastic program for three consecutive years (or six consecutive semesters or equivalent) after entering the 6<sup>th</sup> grade.~~

Jason Marling  
Sherrard Middle School

### **Rationale**

This rule will prevent middle school students from having a "red shirt" year prior to entering high school. Some middle school students are choosing to repeat a grade in middle school in an attempt to gain an athletic advantage. This rule will prohibit students from being able to do this. Once a student enters the 6<sup>th</sup> grade, he/she will have three consecutive years to participate before moving on to high school.

**Proposal 5**

*No Vote because Proposal 4 passed.*

**Amend §127-2-5 Semester and Season. (Pg. 18) as follows:**

5.2. While in grades 6, 7, and 8, a student shall not participate in more than three seasons in any single interscholastic activity, and may only participate in a total of six consecutive semesters once that student enters grade 6.

Alicia Riggelman  
Musselman High School

**Rationale**

The rule change is intended to establish limitations for total semesters of participation, rather than just the current seasonal limitations.

**Proposal 6**

*Vote: 138 - 8 Passed*

**Amend §127-2-7.1.j Residence Transfer. (Pg. 21) as follows:**

7.1.j Any international student enrolling in a member school who does not meet the criteria of 127-2-7.1h shall only be eligible to participate at the junior varsity level in any sport for the duration of the time the student is enrolled.

Steve Wamsley  
Tygarts Valley High School

**Rationale**

This rule clarifies the eligibility status of international students who do not enroll as part of an approved foreign exchange program. This rule will stop schools from recruiting international students to their schools for athletic purposes. Will align with the work that has been done to establish competitive balance among schools.

**Proposal 7**

*Vote 142-0 Passed*

**Amend §127-2-7.2.d Residence Transfer. (Pg. 21) as follows:**

7.2.d. For the purpose of athletic eligibility, the Commission does not recognize emancipated minor status as it relates to transfer, ~~except as might occur in marriage and relocation to another school zone.~~

Meredith Dailer  
Wheeling Park High School

**Rationale**

Marriage should not be an automatic exception. May be other factors to consider. If there are exceptions to be made to this rule, (including marriage) student athlete should be required to file an appeal with the Board of Directors.

**Proposal 8**

*Vote: 13-120 Rejected*

**Amend §127-2-7.2.f Residence Transfer. (Pg. 22) as follows:**

7.2.f. If a student enrolls who has been released and accepted by formal actions of county boards of education or similar governing bodies of a private/parochial school which have verified that such transfer is not for athletic purposes, the student will be granted immediate eligibility provided all other rules are met. The enrollment transfer may only occur once during the students four years of high school (9-12) eligibility must occur at the beginning of the 9<sup>th</sup> grade academic year with the student enrolled on or before the eleventh instructional day of the beginning of the academic year and provided that the student is residing with the parents. With respect to a student whose parents reside in an attendance zone containing more than one member school, at the time of enrollment in an out of district school at the beginning of the student's 9<sup>th</sup> grade academic year, the student must identify a "home" school. In the event the student later elects to utilize "transfer back" (§127-2-7.2.g), the student is only eligible to



transfer back to the identified "home" school. Once a student has been a member of a team that has participated in a scrimmage or contest, the student has established eligibility at that school. (Revised 2012-13, 2017-18)

Jason Redman  
Nitro High School

### **Rationale**

Currently, parents are forced to make their school choice before having experienced what their home high school has to offer. This change will allow parents to make an informed decision based on their child's experience. Oftentimes schools get an unjust negative reputation from outsiders that influence that parents' school decision.

### **Proposal 9**

Vote: 142-0 Passed

#### **Amend §127-2-10.1 Non-school Participation. (Pg. 24) as follows:**

10.1. During ~~the academic year~~ a WVSSAC established sport season and while a member of a school team, a student shall neither participate, which includes, but is not limited to, fund-raising activities, team picture, tryouts, etc., on any formally organized non-school team in the same sport, nor shall the student compete as an individual unattached in non-school formally organized competition in the same sport. The following sports are exempted from the provisions of this rule: cross country, golf, swimming, tennis, track, and wrestling, provided that: (Revised 2011-12)

Shawn Wheeler  
Buffalo High School

### **Rationale**

Clarifies when a student athlete is prohibited from participating on a non-school team. The new language makes it very clear when the student is prohibited from participating in both school and non-school teams. With this change, once the season begins as defined by the WVSSAC standardized calendar, students may not be a part of the non-school team under any condition, as outlined in the rule. Will bring consistency for all schools.

### **Proposal 10**

Vote: 142-0 Passed

#### **Amend §127-2-10.3 Non-school Participation. (Pg. 24) as follows:**

10.2.e The USA Swimming Junior National Championship

Paul Mihalko  
Morgantown High School

### **Rationale**

This is a prestigious national championship level event. Qualifiers advance to the national championship. Very few swimmers in WV will even qualify. May impact one or two swimmers every few years. However, if there is a swimmer who does qualify, he/she should be allowed to participate without penalty.

### **Proposal 11**

Vote 142-0 Passed

#### **Amend §127-2-10.3 Non-school Participation. (Pg. 24) as follows:**

10.3. A student who has participated on a non-school team or as an individual unattached in non-school formally organized competition after the ~~beginning practice date of that sport~~ WVSSAC established start date of that sport season will be ineligible for participation on that school team for that season in that particular sport except as provided by §127210.1 and §127-2-10.2.

Shawn Wheeler  
Buffalo High School

### **Rationale**

Clarifies when a student athlete is prohibited from participating on a non-school team. With the change, once the season begins as defined by the WVSSAC standardized calendar start date of the season, students may not be a part of the non-school team under any conditions, as outlined in the rule. Will bring consistency for all schools.

**Proposal 12**

Vote 142-0 Passed

**Amend §127-2-13.8 Practice. (Pg. 26) as follows:**

13.8. Students participating in a sport(s) in one season must have practiced ~~44~~ 12 separate days, exclusive of the day of a contest, to be eligible to participate in a sport in the next season with the following exception: the student has continued to practice or participate in tournament play without an interruption of school days. The student must complete five separate days of sport specific practice in the second sport.

Constitution and Bylaws

**Rationale**

Editorial change to align with rule change from 2020-21.

**Proposal 13**

Vote: 142-0 Passed

**Amend §127-3-4.1 All-star Participation. (Pg. 37) as follows:**

4.1. Only a graduating senior, or any student completing athletic eligibility at the end of the current academic year because of age or completion of semesters of eligibility, may play in ~~one~~ two All-Star games upon conclusion of each season without loss of athletic eligibility for the balance of that year. (Revised 2019-20)

Kenny Demoss  
Parkersburg High School

**Rationale**

More conferences and organizations are hosting all-star events for student athletes that before. Student athletes should not be penalized or have to choose only one if they are invited to two separate events.

**Proposal 14**

Vote 75-67 Passed

**Amend §127-3-7.2 Out-of-season Coaching. (Pg. 39) as follows:**

7.2. School organized out-of-season practice or related activities shall be permitted with principal approval during three consecutive weeks established by each school and approved by each county board of education or by the governing body of a private/parochial school. These three consecutive weeks may begin on or after Monday of Week 49, and must conclude by Friday of Week 4 of the NFHS Standardized Calendar; provided, there will be no out-of-season practice or related activities during the week of July 4<sup>th</sup> as determined by the NFHS Standardized Calendar (refer to handbook appendix). Participation must be open to all students, voluntary, and not required directly or indirectly for membership on a school team. Participation by students during these weeks does not meet §127-2-13.4.

Cassie Porter  
John Marshall High School

**Rationale**

School districts with more than one high school or middle school can sometimes conflict with each other. In some districts, community events might be more of a factor than other parts of the same district. In our district, our smaller rural high school has a big presence on our county fair and they do not want to conflict with the operation of an important part of the fair.

**Proposal 15**

Vote 6-137 Rejected

**Amend §127-3-10.6 Classification. (Pg. 44) as follows:**

Each member high school shall be classified in ~~boys and girls basketball all sports~~ as either AAAA, AAA, AA, or A based on a total score given by the classification model that considers the following factors: enrollment, location and economics. For an explanation of the classification model and how scores are assigned, see Glossary.

### Rationale

This will be a more competitive balance formula. This will give 8 more schools that opportunity to be sectional champions and give 8 more schools the experience of competing at States. It will give the host city more revenue from hosting games. Sports are all about the student athlete and this will provide more student athletes with positive lifelong memories.

### Proposal 16

Vote: 7-135 Rejected

#### Amend §127-3-10.1 Classification. (Pg. 43) as follows:

10.1. Excluding Boys basketball, girls basketball, and football, each member high school shall be classified as either AAAA, AAA, AA, or A based on the enrollment figures in grades 9, 10, 11, and 12 at the end of the second school month of the odd numbered year preceding the classification. (Revised 2011-12; 2018-19)

Liberty Raleigh High School

### Rationale

To achieve a more competitive balance for West Virginia schools in football. Each high school athlete in the state has the opportunity to compete in postseason play except football. Expanding to four classifications would allow sixteen more football teams, cheer squads, bands, and communities to participate in and enjoy the playoff experience. Also, the financial stimulus to the team, school, and community could cause a radical shift in the athletic competitiveness of your schools' teams'.

<u>Bordering State</u>	<u># of teams in playoff</u>
Pennsylvania	323
Ohio	224
Maryland	182
Virginia	188
Kentucky	188
West Virginia	48

### Proposal 17

Vote: 128-13 Passed

#### Amend §127-3-10.12 Classification. (Pg. 43) as follows:

10.12 The WVSSAC Board of Directors is authorized to grant a waiver to a classification assignment when it determines the rule fails to accomplish the purpose for which it is intended.

Dottie Smith and Eric Cheeseman  
Wirt County High School

### Rationale

An appeals process would allow for an opportunity for all schools to have a chance at competitive balance. For example, several member schools may have very high poverty rates, very low enrollment, but be located within their county seat. In this instance, the location to their county seat would be the main reason a school is in a higher classification. Having an appeals process would allow the WVSSAC Directors to grant waivers or exceptions for schools in similar situations.

### Proposal 18

Vote: 6-138 Rejected

#### Amend §127-3-14.1 Sunday Contests. (Pg. 46) which also effects rule 127-2-13.3 (Pg. 25) as follows:

127-3-14.1.a Sunday Practice-Teams may conduct a practice on Sunday between 2:00 pm and 6:00 pm provided that there is a game scheduled on the following Monday, the practice length does not exceed two hours, it is not the seventh consecutive practice/game.

Mike Kelley  
Herbert Hoover High School

### Rationale

Oftentimes coaches are hesitant to schedule Monday games due to the fact that they do not have practice the day before. Limiting the number of consecutive practice/game will guarantee that student athletes have a day off.

### Proposal 19

Vote 142-0 Passed

#### Amend §127-3-16.4.a Sanctioning and Travel. (Pg. 47) as follows:

16.4. Bordering state events requiring approval are:

16.4.a. Any interstate event in which four or more schools participate (All schools from ~~neighboring~~ bordering states.) and at least one of the states participating requires sanctioning.

Tom Adkins  
Princeton High School

### Rationale

This rule will enable WVSSAC member schools to be able to compete against bordering state schools that require sanctioning. Currently, Virginia, Maryland, and Pennsylvania require sanctioning. This rule will allow our member schools to continue to compete against schools in those states.

### Proposal 20

Vote 142-0 Passed

#### Amend §127-3-16.5 Sanctioning and Travel. (Pg. 47) as follows:

~~16.5. Intrastate events requiring approval are:~~

~~16.5.a. An event with more than four schools participating; or~~

~~16.5.b. Any event where awards are given.~~

Tom Adkins  
Princeton High School

### Rationale

WVSSAC Rule 127-3-12 (Legal Opponents) clearly defines a legal opponent for member schools. This sanctioning rule creates unnecessary paperwork for school administrators as well as WVSSAC office staff. As long as schools follow 127-3-12 (Legal Opponents), there is no need for this rule.

### Proposal 21

Vote 142-0 Passed

#### Amend §127-3-18 through 31 Season Regulations. (Pg. 48-59) as follows:

§127-3-19. Baseball.

19.6. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (~~Effective September 13, 2021~~)

§127-3-20. Basketball (Boys and Girls).

20.6. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (~~Effective September 13, 2021~~)

#### **§127-3-21. Cheerleading.**

21.4. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (~~Effective September 13, 2021~~)

#### **§127-3-22. Cross Country (Boys and Girls).**

22.6. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (~~Effective September 13, 2021~~)

#### **§127-3-23. Football.**

23.2.b. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (~~Effective September 13, 2021~~)

#### **§127-3-25. Soccer (Boys and Girls).**

25.6. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (~~Effective September 13, 2021~~)

**§127-3-26. Softball.**

26.6. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (Effective September 13, 2021)

**§127-3-27. Swimming (Boys and Girls).**

27.6. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (Effective September 13, 2021)

**§127-3-28. Tennis (Boys and Girls).**

28.6. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (Effective September 13, 2021)

**§127-3-29. Track and Field (Boys and Girls).**

29.7. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (Effective September 13, 2021)

**§127-3-30. Volleyball (Girls).**

30.7. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (Effective September 13, 2021)

**§127-3-31. Wrestling (Boys).**

31.6. Individual students of a team must have practiced on ~~44~~ 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. (Effective September 13, 2021)

Constitution and Bylaws

**Rationale**

Need to change to 12 required practices in each specific sport rule to align with rule change made last year. This will also change in Secretary of State's copy.

**Proposal 22**

No Vote

**Amend §127-3-19.9.a Baseball. (Pg. 48) as follows:**

19.9.a. Middle school teams may play ~~48~~ 20 games including tournaments sanctioned by the WVSSAC.

Brian Atkinson  
Logan Middle School

**Rationale**

High School baseball is allowed 32 games exclusive of sectional, regional, and state tournament contests. In Middle school, we are currently only allowed 18 games including conference tournaments. That is a wide disparity in number of allowed contests that isn't seen in any other sport. We are asking to increase this amount of games to 20 in order to better prepare athletes for the endurance required to complete a High school season.

**Proposal 23**

No Vote

**Amend 127-3-26.9a Softball (Pg. 55) as follows:**

26.9.a Middle school teams may play ~~48~~ 20 games including tournaments sanctioned by the WVSSAC.

**Rationale**

High School softball is allowed 32 games exclusive of sectional, regional, and state tournament contests. In Middle school, we are currently only allowed 18 games including conference tournaments. That is a wide disparity in number of allowed contests that isn't seen in any other sport. We are asking to increase this amount of games to 20 in order to better prepare athletes for the endurance required to complete a high school season.

Brian Atkinson  
Logan Middle School

**Proposal 24**

Vote 111-31 Passed

**Amend §127-3-20.4.b Basketball (Boys and Girls). (Pg. 49) as follows:**

20.4.b. A student can play only ~~five~~ six quarters in one day.

Lori Barnhart  
St. Marys High School

**Rationale**

1. Many players, especially girls' programs in small schools do not have enough to play a junior varsity contest with only 5 quarters allowed. Several schools have canceled or limited junior varsity to 2 quarters.
2. Many high school players play travel type AAU ball that have them playing multiple games in one day. We believe last year players were allowed to play on high school and travel programs due to Covid-19 and no major injuries seemed to occur.
3. Administratively, many small schools financially lose out without extra parents from junior varsity support. Additionally, they incur the costs of officials the same whether they play a two quarter contest or a full game.
4. The participation and development, this extra quarter will allow, lets the more inexperienced players have a game to play in and remain interested. Thus, helping to prevent even further loss of numbers by inexperienced players leaving because they sit on the bench for all varsity games or get limited opportunities.

#### Proposal 25

Vote 114-28 Passed

#### Amend §127-3-20 Basketball (Boys and Girls). (Pg. 49) as follows:

20.4.a. The maximum number of quarters for a student in one season is ~~440~~ 132 exclusive of sectional, regional, and state tournament contests.

Lori Barnhart  
St. Marys High School

#### Rationale

1. This change would only be requested if 20.4.b is amended per our proposal, so that this reflects 22 contest dates with 6 quarters in a day.
2. Again, this is an effort to maintain participation in smaller schools that have reducing enrollment and may face eliminating junior varsity programs, otherwise.

#### Proposal 26

Vote: 7-136 Rejected

#### Amend §127-3-23.8 Football. (Pg. 51) as follows:

23.8. The Board of Directors ~~is authorized to~~ shall adopt a point rating system and overall procedure for determining a state champion in each class that includes all member schools in the playoffs.

David Decker  
Lincoln High School

#### Rationale

Football is the only sport the WVSSAC restricts participation in the post season championships tournament. All schools should be able to have the opportunity to participate in the championship tournament.

#### Proposal 27

Vote: 142-0 Passed

#### Amend §127-3-23.9.b Football. (Pg. 52) as follows:

23.9.b. The following table establishes ~~the first date for organized practice, the first date pads with no live contact, the first date for live contact,~~ for middle school the equipment/contact level, earliest date for a scrimmage, the date for first game contest and the date season must be completed.

	<del>First Date</del>	<del>Pads No</del>	<del>Contact</del>		<del>Earliest</del>	<del>Date Season</del>
	<del>Organized</del>	<del>Live</del>	<del>Allowed</del>	<del>Date For</del>	<del>For First</del>	<del>Must Be</del>
Year	Practice	Contact	Full Equip.	Scrimmage	Game	Completed
2021	Aug. 9	Aug. 16	Aug. 19	Aug. 23	Week 9	Oct. 30
2022	Aug. 8	Aug. 15	Aug. 18	Aug. 22	Week 9	Oct. 29
2023	Aug. 7	Aug. 14	Aug. 17	Aug. 21	Week 9	Oct. 28
2024	Aug. 12	Aug. 19	Aug. 22	Aug. 26	Week 9	Nov. 2
2025	Aug. 11	Aug. 18	Aug. 21	Aug. 25	Week 9	Nov. 1

Year	First Date Organized Practice-Helmets Only No Contact	First Date Helmet & Shoulder Pads. Soft equipment contact-Bag, shields, sleds, tackling wheel, etc.	Full Pads Soft Equipment Contact-Bag, shields, sleds, tackling wheel, etc.	Full Pads Full Contact	Earliest Scrimmage	First Contest	Date Season must be completed
2022	Aug. 8,9,& 10	Aug. 11,12, & 13	Aug. 15 & 16	Aug. 17,18,19,& 20	Aug. 22	Aug. 29	Oct. 29
2023	Aug. 7,8,& 9	Aug. 10,11, & 12	Aug. 14 & 15	Aug. 16,17,18,& 19	Aug. 21	Aug. 28	Oct. 28
2024	Aug. 12,13, & 14	Aug. 15, 16,& 17	Aug. 19 & 20	Aug. 21,22,23 & 24	Aug. 26	Sept. 2	Nov. 2
2025	Aug. 11,12,& 13	Aug. 14,15, & 16	Aug. 18 & 19	Aug. 20, 21,22 & 23	Aug. 25	Sept. 1	Nov. 1

Patrick McGregor  
Moorefield High School

### Rationale

The reason for this proposal is to prepare our athletes to be safer within the limitations of practice and within sport specific movements especially tackling. This process will still afford each program a smooth and safe transition through the beginning of the season practice days. The progression will give programs a chance to teach the basics of tackling and blocking while utilizing the abundance of drills that involve soft equipment. We also believe that this type of change will drastically decrease the number of infractions related to utilizing body to body contact, or the use of soft equipment too early in the acclimation period.

### Proposal 28

Vote: 138-6 Rejected

#### Amend §127-3-23.9.g Football. (Pg. 53) as follows:

23.9.g. Middle school football teams ~~may~~ shall play overtime periods in regular season games. ~~In season ending championship games, a tie breaking procedure shall be established and used if at the end of two overtime periods, the score remains tied. A maximum of two overtime periods~~ Overtime periods will be played until a winner is determined ~~are permitted~~ in accordance with the NFHS Football Rules "20 yard line overtime procedure."

Jeff Kisner  
Jackson Middle School

### Rationale

Eliminating the tie in regular season games allows better seeding in leagues at the middle school level. Ultimately, it eliminates the possibility of ending a championship game with a tie for the year. For example, in our league, if the #4 seeded team and the #1 seeded team play in the championship game and it would end in a tie. The #1 seed would win the league, even though the #4 seed played right with them the entire game.

### Proposal 29

Vote: 142-0 Passed

#### Amend §127-3-30.10.b Volleyball (Girls). (Pg. 58) as follows:

30.10.b. Organized team practice will begin on Monday of Week 7 and the first contest may be played on Wednesday of Week 40 ~~9~~.

Constitution and Bylaws

### Rationale

This rule was changed last year, but the middle school week was not changed. Need to change to be consistent with rule change. Editorial change.

### Proposal 30

Vote 137-5 Passed

#### Amend 127-2-3.11 Enrollment and Team Membership (pg. 18) as follows:

3.11 ~~A~~ Homeschool students receiving home instruction pursuant to W.Va Code 18-8-1(c), shall be considered eligible for participating in interscholastic athletic events and other extracurricular activities of public secondary school serving the attendance zone in which the student lives or as allowed by 127-2-7.2.f and 127-2-7.2.h who (1) has been homeschooled for at least one year immediately preceding interscholastic athletic participation; (2) has demonstrated satisfactory evidence of academic progress for the immediately preceding academic year; (3) is enrolled in at least one virtual instructional course per semester, consistent with the applicable virtual instruction policy of the county board in which the home schooled student lives and the applicable virtual instruction policy of the State Board of Education; and (4) is otherwise eligible to participate as a result of being subject to all other eligibility rules applicable to a non- homeschooled student.

Constitution and Bylaws

**Rationale:**

This provides homeschooled students the same opportunity as non-homeschooled students the ability to choose a one time out of district school in the 9<sup>th</sup> grade.

**Proposal 31**

Vote: 142-0 Passed

**Amend 127-3-6.4.b and c. Coaches (P. 39) as follows:**

6.4.b The coach has successfully completed WVSSAC approved training: ~~NFHS~~ Sport Science, Sports First Aid, and the WV Component (14 hours of instruction and test) and has received WVDE authorization.

6.4.c ~~The authorized certified coach may be contracted to coach only if an employed certified professional educator within the county has not applied and accepted the coaching position.~~

Constitution and Bylaws

**Rationale:**

Policy 5202 no longer requires a certified educator to have priority over an authorized certified coach. This change will align WVSSAC policy with WVDE policy.

**Proposal 32**

Vote: 142-0 Passed

**Amend Rule 127-2-13 Practice (P. 25) as follows:**

13.4.c ...must have the required 44-12 separate practice days...

13.7 If a student has established eligibility in a sport requiring 44-12 separate days of practice...

13.8 Students participating in a sport in one season must have practiced 44-12 separate days...

Constitution and Bylaws

**Rationale:** Editorial changes to rule that was passed last year. Clean up of other rules to make consistent.

**Proposal 33**

Vote: 142-0 Passed

**Amend Rule 127-2-14 Concussions (P.27) as follows:**

14.5 Member schools must submit Part I of the concussion report form to the WVSSAC within 7 days and Part II within 30 days.

Constitution and Bylaws

**Rationale:** Need to change language to be consistent with requirements for schools.

**Proposal 34**

Vote: 141-1 Passed



**Amend Rule 127-3-10 Classification (P.44) as follows:**

10.8 A school may choose to compete in WVSSAC tournaments in one class above its classification in boys and girls basketball providing proper notification is made to the WVSSAC prior to April 1 of a new classification year. Approval of this option will be for a two year period ~~and will be in effect for individual sports by the school.~~

Constitution and Bylaws

**Rationale:**

This rule only applies to boys and girls basketball, not other sports in the school. This is a clean- up of language/editorial change to the rule.

**Proposal 35**

Vote: 142-0 Passed

**Amend Rule 127-3-15 Sports Rules-Game Game Protests (P. 46) as follows:**

15.3 Contests ~~or ejections~~ shall not be protested. Accordingly, the Board of Directors is not authorized to order contests replayed ~~or ejections reconsidered.~~

Constitution and Bylaws

**Rationale:**

Old language that needs to be deleted. The Executive Director is authorized to reconsider ejections.

**Proposal 36**

Vote: 140-2 Passed

**Amend Rule 127-3-25 Soccer (P. 54) as follows:**

25.2 Organized Team Practice: Organized team practice will begin on Monday of Week 5 and the first contest may be played on ~~Friday~~ Wednesday of Week 7.

Constitution and Bylaws

**Rationale:** This change was a unanimous recommendation from the Soccer Coach Committee. Allows more days to schedule games.

**Proposal 37**

Vote: 141-1 Passed

**Amend 127CSR5**

Constitution and Bylaws

**Rationale:**

Robotics has been approved by the WVSSAC Board of Directors as a sanctioned activity. Language needs to be added to provide consistency of application for all participating schools. Rules and regulations will be developed and available on the WVSSAC website.

127CSR5

TITLE 127  
LEGISLATIVE RULE  
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 5  
BAND AND OTHER ACTIVITIES

**§127-5-1. General.**

1.1. Scope. -- These rules and regulations govern band and other West Virginia Secondary School Activities Commission sanctioned activities.

1.2. Authority. -- W. Va. Constitution, Article XII, §2, and W. Va. Code §§18-2-5, 18-2-25, 18-2-25a, and 18-2-25b.

1.3. Filing Date. -- ~~August 10, 2018.~~

1.4. Effective Date. -- ~~October 9, 2018.~~

1.5. Repeal of Former Rule. -- This legislative rule amends W. Va. 127CSR5, West Virginia Secondary School Activities Commission Series 5, Band Activities, filed ~~June 7, 2002~~ August 10, 2018, and effective ~~August 5, 2002~~ October 9, 2018.

**§127-5-2. Enrollment and Membership - Band.**

2.1. All members of a member school band must be enrolled in that school; §127-5-2.3 is the only exception.

2.2. Majorettes, flag corps, drill teams, etc. are considered an integral part of the band and shall be adjudicated and governed accordingly. Any performance by a majorette, member of a flag corps or drill team, without the band, shall not be considered a band activity.

2.3. Instrumental music students in 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades of a feeder school which does not have its own band and who receive their instruction from the band director of the ~~senior high school~~ band in which the students will eventually enroll shall be eligible to participate in the band directed by their instructor.

2.4. Participants in secondary school interscholastic band activities shall be eligible only for the number of years in which they are enrolled and attending a secondary school.

2.5. Students enrolled in schools serving grades five through eight may be eligible to participate in all band activities.

**§127-5-3. Scholarship - Band.**

3.1. All high school students are required to be enrolled in the equivalent of at least four content area course credits toward graduation. Failure to earn passing marks in the equivalent of at least four content area courses toward graduation shall render a student ineligible for the following semester.

3.1.a. Two of those four content area course credits must be in English language arts, social studies, mathematics or science, and may or may not be in the same subject.

3.1.b. If a student has completed all state, county, and school requirements, they may select four full credits from any area of the curriculum offered by the school.

3.1.c. If a student is taking a multiple period block course, such as vocational courses for a full morning or afternoon, it may be counted as more than one course. The number of courses counted will be equal to the units of full credits given; however, §127-5-1.1 and §127-5-1.2 apply.

3.2. Full credit may be awarded for outside courses and experimental programs developed by the school itself provided that it meets standards established by the county and West Virginia Board of Education. Such credit must be earned during the regular school term.

3.3. In order for a withdrawn student or expelled student to regain eligibility, they student must complete one semester of school work.

3.4. Scholastic deficiencies cannot be made up after the last day of the semester, except when a student's final examination(s) and course credit are delayed due to illness verified by a physician.

3.5. In all cases, the official school transcript determines a student's eligibility and is regarded as final.

3.6. A student promoted to the ~~76~~<sup>7</sup>6<sup>th</sup> grade for the first time is considered to have satisfied scholastic requirements and is permitted to participate during the first semester of initial enrollment in that grade, provided the student is otherwise eligible.

#### **§127-5-4. Festivals - Band.**

4.1. The West Virginia Secondary School Activities Commission (WVSSAC/Commission) Board of Directors (Board of Directors) shall divide the state into regions for the purpose of band festivals and shall have the authority to place bands in those regions. They shall also determine the time, place, and management of these events.

4.2. All bands participating in those festivals shall be composed of students that meet the qualification standards set forth in these rules.

4.3. The Board of Directors shall appoint directors for the festivals. One of their responsibilities will be to contract adjudicators for the festivals.

4.4. Newly established programs are not required to participate in the regional festival.

#### **§127-5-5. Sanctioning - Band.**

5.1. On or before September 1 of each school year, the Board of Directors shall provide each member school a list of approved school sponsored and non-school sponsored contests and activities in which member bands may participate during the ensuing year.

5.2. Additions to this list may be made after September 1 of each school year, provided that the

request for approval is filed with the Commission office at least 30 days prior to the activity.

5.3. In order to qualify for approved participation in activities outside the home county and counties contiguous to the home county (including out-of-state), bands of member schools must have participated within the guidelines of the WVSSAC Band Festival Plan in the most recently conducted regional band festival.

5.4. A school band shall not be absent from school more than five school days each year for the purpose of participating in band activities.

5.5. The regulations above apply only during the regular school term.

**§127-5-6. Awards - Band.**

6.1. Only a member school or a non-school organization sponsoring an activity approved by this Commission may give the following awards to a student or band: medal, trophy, cup, certificate, ribbon, plaque, unattached letter, unattached chevron, or similar award.

6.2. A student may accept as an individual or member of a school band the above specified awards in the following situations:

6.2.a. from a member school for participation;

6.2.b. in a sanctioned event; or

6.2. c. in a non-sanctioned event during the summer.

6.3. A student may not receive the following awards ~~from any source~~ with a retail value that exceeds \$100.00:

6.3.a. Wearing apparel - sweaters, jackets, etc.;

6.3.b. Equipment - radio, television, etc.;

6.3.c. Music instruments, batons, etc.; and

6.3.d. Money (scholarship to institutions of higher learning are exempted).

6.4. Member school bands may accept prizes and/or gratuities for participation in sanctioned events during the school term and in non-sanctioned events during the summer.

6.5. Purchase for a student of an item mentioned in §127-5-6.3.1a-4d whereby a portion is donated by a school, booster club, auxiliary agency, or any other group or organization ~~is prohibited~~ cannot exceed the specified limit.

6.6. Nothing in §127-5-6 shall be interpreted to affect the recognition of scholarship or scholastic achievement.

6.7. Any student who accepts an award in any band activity, other than those approved in these rules, shall be ineligible to participate in any band activity for 365 days.

**§127-5-7. Classification of Schools - Band.**

7.1. There shall be three classes of schools for bands: Class AAA, Class AA, and Class A. The Board of Directors is authorized to determine the size of enrollment in each class.

7.2. Classification shall be determined every four years in the even numbered year and, when established, shall remain in effect for four school years. Classification shall be based on the second month's enrollment of the previous odd numbered year.

7.3. Enrollment standard for schools will be the active enrollment of the total number of students in grades 9, 10, 11, and 12.

7.4. Member middle schools will not be given a classification.

**§127-5-8. Enrollment and Membership - Robotics**

8.1. All members of a member school robotics team must be enrolled in that school.

8.2. Participants in secondary school interscholastic robotics activities shall be eligible only for the number of years in which they are enrolled and attending a secondary school.

**§127-5-9. Scholarship - Robotics**

9.1. All students are required to be enrolled in the equivalent of at least four content area course credits toward graduation to participate in the state championship tournament. Failure to earn passing marks in the equivalent of at least four content area courses toward graduation shall render a student ineligible for the following semester.

9.1.a. Two of those four content area course credits must be in English language arts, social studies, mathematics, or science, and may or may not be in the same subject.

9.1.b. If a student has completed all state, county, and school requirements, the student may select four full credits from any area of the curriculum offered by the school.

9.1.c. If a student is taking a multiple period block course, such as vocational courses for a full morning or afternoon, it may be counted as more than one course. The number of courses counted will be equal to the units of full credits given; however, §127-5-1.1 and §127-5-1.2 apply.

9.2. Full credit may be awarded for outside courses and experimental programs developed by the school itself provided that it meets standards established by the county and West Virginia Board of Education. Such credit must be earned during the regular school term.

9.3. In order for a withdrawn student or expelled student to regain eligibility, the student must complete one semester of school work.

9.4. Scholastic deficiencies cannot be made up after the last day of the semester, except when a

student's final examination(s) and course credit are delayed due to illness verified by a physician.

9.5. In all cases, the official school transcript determines a student's eligibility and is regarded as final.

9.6. A student promoted to the 6<sup>th</sup> grade for the first time is considered to have satisfied scholastic requirements and is permitted to participate during the first semester of initial enrollment in that grade, provided the student is otherwise eligible.

**§127-5-10. Events - Robotics.**

10.1. The Board of Directors shall divide the state into regions for the purpose of regional and state events and shall have the authority to place the high school robotic teams in those regions. The Board of Directors shall also determine the time, place, and management of these events.

10.2. Regular season and state tournament events shall follow the rules listed in the robotic manual found on the WVSSAC website.

10.3 All high school robotic teams participating in regional and state tournaments shall be composed of students that meet the qualification standards set forth in these rules.

10.3.a. Member schools may host separate invitational robotics tournaments.

10.3.b. Member schools shall not participate in any interscholastic contest or practice against non-school teams (see §127-3-12).

10.4. The Board of Directors shall appoint directors for the regional and state events.

**§127-5-11. Awards - Robotics.**

11.1. Only a member school or a school sponsoring a sanctioned event may give the following awards to a student or team: medal, trophy, cup, certificate, ribbon, plaque, unattached letter, unattached chevron, or any similar award.

11.2. A student may accept on an individual or team basis the above specified awards in the following situations:

11.2.a. from a member school for participation; or

11.2.b. in a sanctioned event.

11.3. A student may not receive the following awards with a retail value that exceeds \$100.00:

11.3.a. apparel - sweaters, jackets, jerseys, shoes, etc.;

11.3.b. equipment - radio, televisions, etc.;

11.3.c. robotics goods;

11.3.d. money (scholarships to institutions of higher learning are exempted).

11.4. Purchase of an item as identified in §127-3-5.3, whereby any portion is donated by a school, booster club, auxiliary agency, or any other group or organization cannot exceed the specified limit.

11.5. Nothing in §127-3-11 shall be interpreted to affect the recognition of scholarship or scholastic achievements.

**§127-5-12. Classification of Schools – Robotics.**

12.1. There shall be up to three classes of schools for robotics: Class AAA, Class AA, and Class A. The Board of Directors is authorized to determine the size of enrollment in each class.

12.2. Classification shall be determined every four years in the even numbered year and, when established, shall remain in effect for four school years. Classification shall be based on the second month's enrollment of the previous odd numbered year.

12.3. Enrollment standard for schools will be the active enrollment of the total number of students in grades 9, 10, 11, and 12.

12.4. Member middle schools will not be given a classification.

**West Virginia Secondary School Activities Commission (WVSSAC)  
Series 5, Band and Other Activities**

**COMMENT PERIOD ENDS: June 13, 2022**

**COMMENT RESPONSE FORM**

**NOTICE:** *Comments, as submitted, shall be filed with the West Virginia Secretary of State's Office and open for public inspection and copying for a period of not less than five years.*

The following form is provided to assist those who choose to comment on WVSSAC Series 5, Band and Other Activities. Additional sheets may be attached, if necessary.

Name: \_\_\_\_\_ Organization: \_\_\_\_\_

Title: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Please check the box below that best describes your role.

- |   |   |  |   |
|---|---|--|---|
| <input type="checkbox"/> County Board Member  | <input type="checkbox"/> Professional Support Staff | <input type="checkbox"/> Service Personnel | <input type="checkbox"/> Higher Education |
| <input type="checkbox"/> Superintendent       | <input type="checkbox"/> Principal                  | <input type="checkbox"/> Parent/Family     | <input type="checkbox"/> Legislator       |
| <input type="checkbox"/> Central Office Staff | <input type="checkbox"/> Teacher                    | <input type="checkbox"/> Community Member  | <input type="checkbox"/> Other            |

COMMENTS/SUGGESTIONS
§127-5-1.1. General.
§127-5-2.3. Enrollment and Membership - Band.
§127-5-3.1. Scholarship – Band.
§127-5-3.3. Scholarship – Band.
§127-5-3.6. Scholarship – Band.
§127-5-6.3. Awards - Band.
§127-5-6.5. Awards – Band.
§127-5-8. Enrollment and Membership - Robotics.
§127-5-9. Scholarship - Robotics.



<b>§127-5-10. Events - Robotics.</b>
<b>§127-5-11. Awards - Robotics.</b>
<b>§127-5-12. Classification of Schools - Robotics.</b>

Please direct all comments to:  
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